

APPROVED

# **TOWN OF WESTFORD**

## **BOARD OF SELECTMEN**

### **MINUTES**

**DATE:** June 22, 2004

**TIME:** 7:30 P.M.

**PLACE:** J.V. Fletcher Library

**PRESENT:** Robert Jefferies, Dini Healy-Coffin, Christopher Romeo,  
Allan Loiselle, James Silva

**OTHERS**

**PRESENT:** Steve Ledoux-Town Manager, Audience Members

**Public Hearing – Story Street – One Way Petition**

Jefferies opened the public hearing. Richard Barrett, Highway Superintendent and James Arsenault, Town Engineer, were present. Barrett stated that the purpose of the public hearing was to acquaint the residents with the plan and to receive public input. Barrett indicated that he will compile the public input and make a recommendation to the Board. Barrett outlined the plan proposing traffic modifications on Story Street. The plan proposed making Story Street one-way, restricting parking to one side of the street, and moving mailboxes to the right side of the street. Barrett stated that the changes are for the safety and convenience of the neighborhood. Barrett stated that making Story Street a one-way will improve the sight distance when exiting onto West Prescott Street. The Police and Fire Chiefs have endorsed the proposed traffic changes. Barrett stated that the Fire Department has had trouble getting equipment down Story Street because of the parking on both sides of the road. Barrett reported that Mass Highway will be installing a stop sign on East Prescott Street (in front of Spinners). New railroad gates will also be installed. Barrett was concerned that drivers will use the side roads and the Spinners parking lot as short cuts rather than waiting when the train is running. Healy-Coffin disagreed that cars will be taking short cuts. Healy-Coffin reported that she received calls from residents who were against this proposal. Romeo

reported that he also received calls in opposition to the proposal and suggested waiting to see how the State improvements impact the area before making any changes.

Vincent Hammer, 23 Story Street, stated that he has lived at 23 Story Street for 5 years and has never noticed traffic cutting through his neighborhood because of the trains. Jefferies clarified that Barrett feels the backup will occur because of the proposed stop sign. Hammer asked if the illegally parked cars are impacting the sight distance and if so, the Police Department should be enforcing the parking rules. Hammer was concerned with parking on only one side of the street and pointed out that several of the homes have small or no driveways. Hammer noted that his neighbor's son drives a tractor trailer on Story Street and felt that fire trucks can get on the street.

Beverly Johansen, 9 Story Street, stated that she lives behind Spinners. Johansen felt that the one-way would prevent delivery vehicles from turning around in her driveway. Johansen was concerned with the potential for a neighbor with trespassing issues to move his mailbox in front of her driveway. Johansen suggested waiting until the bridge reopens. Johansen showed pictures to the Board of the width of Story Street and the parking on both sides of the road. Johansen stated that the rental properties have lots of cars parking on Story Street. Johansen felt that the drivers will use the side roads for short cuts. Johansen also felt that the Police Department should be handling the illegal parking. Johansen was concerned with the safety of the neighborhood children and suggested taking time on making any decisions to change the roadway.

Jason Sawyer, 19 Story Street, asked why the stop sign was being installed on E. Prescott Street. Barrett stated that the stop sign, part of the overall village improvement, will enhance safety of the traffic with regard to the train.

Sarah Nastasia, 22 Story Street, stated that it is difficult to get up Story Street in the winter. Nastasia was concerned that she will not be able to get home if the street is made one-way. Nastasia suggested waiting and getting a traffic analysis.

A resident from 6 Story Street agreed that Story Street is difficult to maneuver in the winter. The resident was concerned with parking at the corner and the impact on sight distance. The resident requested a "Slow Children" sign be installed.

Healy-Coffin felt that drivers might use Lincoln Street as a short cut. Healy-Coffin suggested "No Parking" signs in front of the Village Store on Pleasant Street at the corner. Loisselle suggested that once the build out is complete then see what happens.

Linda Valcourt, 14 Story Street, asked for clarification of the traffic flow.

Barrett showed the traffic flow on the plan and stated that Route 225 will be the dominant roadway.

The Board discussed with Barrett an appropriate time for continuation of the public hearing. Jefferies recommended continuing the public hearing to the Annual Town Meeting in May 2005 and notifying the residents of the continuation.

**It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to continue the public hearing to Annual Town Meeting on May 7, 2005 at 8:30 a.m., in the Abbot School.**

### **Open Forum**

There was no input from the Board or the audience.

### **Discussion with Chris Yule of Yule Development re: Pleasant Street Bridge Project**

Chris Yule, Yule Development, was present seeking direction from the Board regarding his plans for improvements to Bradford Road. Yule wanted to coordinate those improvements with the bridge repair being done by the State. Yule showed a plan of the proposed changes. Yule stated that the changes would have no cost impact on the Town and that he would be willing to pay for any engineering costs. Jim Arsenault, Town Engineer, stated that the Planning Board seemed agreeable to the ideas presented by Yule. Arsenault pointed out that the Planning Board still needs to review what is being proposed on the site and all department heads need to give input. Jefferies felt that the changes should be part of the Planning Board process. Jefferies noted that he did not know the Planning Board's feeling because the site plan process has not begun. Yule stated that the only changes to the road are in the visual appearance and was concerned with delaying the project. Richard Barrett, Highway Superintendent, felt that it was important to tie this into the site plan review and the various town boards should be involved in the reconfiguration. Barrett stated that more information and engineered drawings are needed.

**It was moved by Loiselle, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, that the Board of Selectmen support the concept of the streetscape plan presented by Yule Development and that the Board encourages this type of improvement and realizes the need to go through the proper review by the Town departments.**

Ledoux indicated that meetings can be coordinated through his office and determination of what other information is needed. Andrea Peraner-Sweet, Planning Board, stated that Yule simply needs to file his plan with the Planning Board which starts the review process.

**Discussion/Update from Conservation Administrator re: Greystone Estates Land Donation**

Bill Turner, Conservation Commission Administrator, presented a copy of a deed and approval forms for acceptance of the balance of the conservation land donation as required by the original approval of the “Greystone Estates” subdivision. **It was moved by Loiselle, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to accept the gift of land in the Greystone Estates subdivision, Parcels G, L and M, from Greystone LLC for the sum of \$1.00.**

**Report from Permanent Town Building Committee**

Karen Cavanaugh, Chairman and Tom Mahana, Vice Chairman, presented the report prepared by the Permanent Town Building Committee. Mahana introduced the committee members. Mahana summarized the report which detailed town space needs and town-owned buildings. Christopher Noonan, Committee member, stated that after talking to town departments it was determined that there is a need for increased staff, increased storage space and meeting space. Loiselle stated that he would like to see a recommendation as a starting point from the Committee regarding which department would fit into which building.

Margaret Murray, School Committee, stated that the School Committee looked at projected numbers for the next 5 to 10 years. Murray stated that School Administration will need to move out of the Millennium School within the next 4-5 years by virtue of the growing enrollment. School Administration will then have to return to Town Farm Road which would not have adequate space. Murray asked that those factors being taken into consideration in future discussions.

Healy-Coffin cautioned against “turf wars” and urged everyone to work together pointing out the need to be creative due to the lack of funding. Healy-Coffin suggested pulling together different entities and creating a grand scheme of how things are going to go. Healy-Coffin suggested that the Water Department building could accommodate the Building Department and the old highway garage could be used for storage for some departments. Healy-Coffin stated that the Water Department and the Water Commissioners need to be consulted. Jefferies stated that some short-term plans are needed as soon as possible and that a long-term strategy for the next 5-10 years is also needed. Jefferies suggested that after the plans are done meetings with the affected town departments must take place. Romeo suggested that this Committee talk to the Land Use Priorities Committee.

**DISCUSSION OF AFFORDABLE ASSISTANCE BYDOWN PROGRAM**

Eric Kitner and Jim Wilde, Merrimack Valley Housing Partnership (MVHP), were present seeking the Board’s written endorsement for the application to the Department of Housing and Community Development (DHCD) regarding the first time home buyer program. Wilde outlined the homebuyer incentive program, program limits/guidelines, feature and incentives. Wilde also

outlined the down payment program for first time buyers. The MVHP would apply and administer the program while working with homebuyers, brokers, lenders, etc. An administration fee will be paid by the State. There will be no costs to the participating communities. The MVHP is currently seeking participation from the towns of Westford, Chelmsford, Billerica, Tyngsborough and Dracut. Part of the application process is a letter of support from the participating Boards of Selectmen. Wilde distributed a MVHP newsletter and summary of facts sheet. **It was moved by Loiselle, seconded by Silva, and VOTED UNANIMOUSLY, to support the application of Merrimack Valley Housing Partnership.**

#### **Discussion on Street Opening Permits**

This item was deferred until July 21, 2004.

#### **Discussion of Shared Human Resources Director with School Department**

Steve Foster, School Superintendent, and members of the School Committee were present. Ledoux reported that he discussed with Foster the proposal of a shared Human Resources position. Foster outlined the Memorandum of Understanding, Organizational Chart and revised job description. Foster stated that the proposal was presented to the School Committee and minor changes were made. Foster suggested an amendment to the Memorandum of Understanding which would add a termination of partnership clause. Healy-Coffin suggested that rather than adding a termination clause, a better business practice would be to hire someone to assist the Human Resources Director. Foster outlined the timeline of developing the partnership. Foster stated that he and Ledoux will put together a committee to review the applications and provide three (3) candidates for interview by Foster and Ledoux. The final decision will be made jointly by Foster and Ledoux. Romeo pointed out that timing is very important for the Selectmen. Ledoux estimated that a hire will take place sometime in September.

**It was moved by Romeo, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to support the Memorandum of Understanding as written.**

Kelly Ross, Finance Committee, stated that he supported the proposal but was concerned with the termination clause. Ross felt that Ledoux might end up with an employee that was not his first choice. Ross asked if there was any way to balance the termination clause. Ledoux stated that the termination clause was balanced. Foster read the full termination clause.

The School Committee voted unanimously to support the Memorandum of Understanding as written.

**Selectmen to Draft Comments on Woodlands at Laurel Hill 40B and Tadmuck Meadow Projects**

**Woodlands at Laurel Hill** – Ledoux reported that he never received the original letter for comments so the State has provided an extension to July 2, 2004. Jefferies updated the Board on a meeting held Monday, June 21, 2004 with Ledoux, Healy-Coffin, Jefferies, Andrea Peraner-Sweet (Affordable Housing Committee) and members of the Acton Board of Selectmen. The Acton Selectmen are concerned with the density of the Acton proposal and traffic impacts. Jefferies stated that Acton was told that Westford is concerned with the effluent issue. Jefferies reported that Acton will be supplying water to the Acton project but not the Westford project. Acton was also told that Westford would like more than 56 units of housing. The Boards discussed the quality of Durkee Lane, the seemingly lack of a secondary access, and fire safety and response to Westford. Jefferies referenced an opinion from Town Counsel regarding the treatment plant which would require an intermunicipal agreement. Healy-Coffin felt that the developer is squeezing two buildings on the Westford side in order to place the treatment plant in Westford. Ledoux will include in the letter the comments of the joint meeting; staff and the Board's comments relative to access for emergency vehicles, safety, septic and the developer's inability to build the treatment plant under Chapter 40B in Acton; and the comments outlined in an e-mail from Romeo.

**Tadmuck Meadow** – Romeo asked for clarification regarding the Fire Chief's comments relative to power line concerns. Jefferies and Healy-Coffin felt that access from Route 110 was important rather than accessing the site from Reinsway Circle. Romeo also asked for clarification regarding the Conservation Administrator's comments relative to the vernal pool adjacent to Route 110. The Board expressed concerns regarding the environmentally sensitive areas; and access off of Route 110. Healy-Coffin reported that she tried to turn around on Reinsway Circle and found it difficult to maneuver. Healy-Coffin noted that Reinsway Circle is an undersized, narrow roadway. Romeo felt that the building design is completely out of character with Westford. Loiselle was concerned with the land transaction because it is one entity selling to the same entity with a different name. Loiselle questioned how this type of transaction impacts the proforma.

**Licenses and Permits**

**One Day Liquor License LPN Graduation Party, Nabnasset Legion, 115 Dunstable Road, Sunday, June 27, 2004; 12:00-7:00 PM** – It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve.

**Fletcher Club, 11 Brookside Road, Annual Clambake, Sunday, August 8, 2004; 12:00-5:00 PM** - It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve.

### **Board Reports/Updates**

**Housing Authority Project – Veteran’s Memorial Complex** – Romeo reported that the Zoning Board of Appeals granted the requested Variances for the Housing Authority affordable housing project slated for the Veteran’s Memorial Complex.

**Affordable Housing Committee** – Romeo announced that the Affordable Housing Committee will be meeting on Wednesday, June 23, 2004, at 7:15 a.m., Tadmuck Senior Center.

**Communication Advisory Committee** – Silva reported that there could be some compromises made on the part of Comcast relative to the license renewal. Negotiations are moving forward.

### **Minutes**

**It was moved by Healy-Coffin, seconded by Romeo, and VOTED 4 IN FAVOR WITH 1 ABSTAINING (Loiselle), to approve the minutes of May 17, 2004 and May 18, 2004.**

**It was moved by Healy-Coffin, seconded by Romeo, and VOTED 4 IN FAVOR WITH 1 ABSTAINING (Loiselle), to approve the executive session minutes of May 18, 2004 but NOT release to the public.**

### **Old Business/New Business**

**Town Clerks Lawsuit** – Kaari Tari, Town Clerk, reported that a lawsuit has been filed by 13 municipal town clerks because of the State’s guidelines on same sex marriages with out-of-state couples. Tari stated that the Town Clerks feel that the guidelines are unfair and discriminatory. Tari was seeking direction from the Board as to whether Westford would be party to the lawsuit. Tari stated that there will be no cost to the town to join the lawsuit. Jefferies was concerned with the increase of legal fees because of the State’s guidelines and the lawsuits that will be filed. Healy-Coffin felt that the State’s guidelines were prejudicial.

Steve Sears, 18 Kylemore Drive, felt that it was premature to attack the law at this stage and felt that the lawsuit will not benefit residents of Massachusetts. Sears stated that couples are coming to Massachusetts in order to bypass the laws in their own states. Sears was opposed to the idea of a lawsuit.

**It was moved by Romeo, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to join the lawsuit.**

### **Correspondence**

Jefferies read the list of correspondence.

6.14 Letter from residents of Randolph Circle re: request for traffic sign. Ledoux reported that Barrett will be dealing with the request.

**Vote to Go Into Executive Session**

The Board voted at 10:52 p.m. to go into Executive Session for the purpose of discussing pending litigation with Tresca Brothers, discussion on sale of town property, and update on negotiations with Westford Police Association. The Board to reconvene to regular session for the purpose of adjourning only. A polling of the Board: Jefferies-yes; Healy-Coffin-yes; Romeo-yes; Loiselle-yes; Silva-yes.

**Open Items**

6/22-1 Ledoux to prepare comment letters to the State re: Woodlands at Laurel Hills and Tadmuck Meadows 40B projects.

6/22-2 Ledoux to schedule the continued public hearing re: Story Street for ATM Saturday, May 8, 2005 at 8:30 a.m., Abbot School.

**Reconvene to Regular Session and Adjournment**

The Board reconvened to regular session at 11:05 p.m. It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to adjourn the meeting.

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Steve Ledoux, Town Manager

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Robert Jefferies, Chairman

Submitted by Beth A. Kinney, Recording Secretary